

**Notice of Allowability**

Application No.

10/761,198

Examiner

MUHAMMAD N. EDUN

Applicant(s)

FUKUI, TOSHIAKI

Art Unit

2627

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_.
2. ☒ The allowed claim(s) is/are 1-9.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_.

*Prior Art Citation*

**The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.**

Miyanaabe et al. (2002/014306) and Kim et al. (6,580,670), both disclose an optical disk apparatus having the ability of reducing crosstalk from the information reproduced from the optical disk.

*Reasons For Allowance*

**The following is an Examiner's Statement of Reasons for Allowance:**

The prior art of record alone or in combination does not teach or suggest the optical disk apparatus having the combination of element with their recited function, along with having the specific arrangement and function of the: error signal generating circuit (as recited); crosstalk correcting section (as recited); crosstalk level determining section (as recited); and change width ratio determining section (as recited), and wherein the crosstalk correcting section is configured to reduce the crosstalk component by increasing or decreasing the level change width of the tracking error signal in accordance with the ratio detected by the change width ratio determining section; and subtracting the tracking error signal in which the level change width is increased or decreased, from the focus error signal, in a case where the crosstalk level determining section determines that the crosstalk component is larger than the predetermined level, and is configured not to reduce the crosstalk component in a case where the crosstalk level determining section determines that the crosstalk component is not larger than the predetermined level, as set forth in claim 1.

The prior art of record alone or in combination does not teach or suggest the optical disk apparatus having the combination of elements with their recited function, along having:

a crosstalk correcting section configured to reduce a crosstalk component in the focus error signal, the

crosstalk component produced by the tracking error signal

when a track jump is performed; and

a crosstalk level determining section configured to determine whether or not the crosstalk level is larger than a predetermined value in a case where the track jump is performed without applying a tracking servo,

wherein the crosstalk correcting section is configured to reduce the crosstalk component by use of the tracking error signal in a case where the crosstalk level

determining section determines that the crosstalk component is larger than the predetermined level, and is configured not to reduce the crosstalk component in a case where the crosstalk level determining section determines that the crosstalk component is not larger than the predetermined level, as set forth in claims 2-9.

Any comments considered necessary by applicant must be submitted no later than the payment of the Issue Fee and, to avoid processing delays, should preferably **accompany** the

Issue Fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MUHAMMAD N. EDUN whose telephone number is 571-272-7617. The examiner can normally be reached on FLEXITIME.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**MUHAMMAD N EDUN**  
**Primary Examiner**  
**Art Unit 2627**